



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.16148 of 2018

M.Balasubramaniam

... Petitioner

vs.

1. The District Collector,
Trichy District,
Trichy.

2. The Tahsildar,
Manapparai Taluk,
Manapparai,
Trichy District.

3. The Taluk Surveyor,
Manapparai Taluk,
Manapparai,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents No.2 and 3 herein to survey and demarcate his landed property comprised in Survey Nos.116/1, 117/1 and 118/1 situated at Aniapur Village, Manapparai Taluk, Trichy District on the basis of his application dated 02.05.2018 within the time stipulated by this Court.

For Petitioner : Mr.B.Arun

For Respondents : Mr.J.Gunaseelanmuthiah

Additional Government Pleader

O R D E R

Mr.J.Gunaseelanmuthiah, learned Additional Government Pleader takes notice for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

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3.It is the grievance of the petitioner that his representation dated 02.05.2018 seeking to survey and demarcate his



landed property comprised in Survey Nos.116/1, 117/1 and 118/1 situated at Aniapur Village, Manapparai Taluk, Trichy District, has not been considered by the respondents till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the application made by the petitioner. It is needless to point out that whenever an application of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's application within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 02.05.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-)

To

1. The District Collector,
Trichy District, Trichy.
2. The Tahsildar,
Manapparai Taluk,
Manapparai,
Trichy District.
3. The Taluk Surveyor,
Manapparai Taluk,
Manapparai, Trichy District.

+ 1 CC TO Mr.B.ARUN, ADVOCATE IN SR No. 74597
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 74827

RMI

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TE/SKN/SAR-1 : 01/08/2018 : 2P/6C

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